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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/675,971	10/02/2003	Peter DiBenedetto	5118	7789
24536	7590	08/09/2006		
GENZYME CORPORATION LEGAL DEPARTMENT 15 PLEASANT ST CONNECTOR FRAMINGHAM, MA 01701-9322			EXAMINER SULLIVAN, DANIEL M	
			ART UNIT 1636	PAPER NUMBER

DATE MAILED: 08/09/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

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10/675,971

10/2/2003

DIBENEDETTO

5118

EXAMINER

D. SULLIVAN

ART UNIT

PAPER

1636

20060731

DATE MAILED:

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**Commissioner for Patents**

The reply filed on 30 May 2006 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): The reply is not fully responsive to the requirement for election of species set forth on page 6 of the restriction requirement. The Office Action states that the Applicant is required to elect a single species of osteoarthritic marker selected from the markers set forth in claims 11-18 for prosecution on the merits to which the claims shall be restricted if no generic claim is finally held allowable. In response, Applicant "elects the species of claim 16 for prosecution on the merits". This reply is not fully responsive because claim 16 recites 5 distinct species of osteoarthritic marker and the election does not identify which of those species is elected for initial prosecution. In response to this communication, Applicant must elect a single metalloproteinase protein (i.e., collagenase 1, collagenase 3, aggrecanase 1, aggrecanase 2 or stromelysin) as the species for initial prosecution. See 37 CFR 1.111. Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. **EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Daniel M Sullivan whose telephone number is 571-272-0779. The examiner can normally be reached on Monday through Friday 6:30-3:00. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Remy Yucel, Ph.D. can be reached on 571-272-0781. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patent applicants with problems or questions regarding electronic images that can be viewed in the Patent Application Information Retrieval system (PAIR) (<http://pair-direct.uspto.gov>) can now contact the USPTO's Patent Electronic Business Center (Patent EBC) for assistance. Representatives are available to answer your questions daily from 6 am to midnight (EST). The toll free number is (866) 217-9197. When calling please have your application serial or patent number, the type of document you are having an image problem with, the number of pages and the specific nature of the problem. The Patent Electronic Business Center will notify applicants of the resolution of the problem within 5-7 business days. Applicants can also check PAIR to confirm that the problem has been corrected. The USPTO's Patent Electronic Business Center is a complete service center supporting all patent business on the Internet. The USPTO's PAIR system provides Internet-based access to patent application status and history information. It also enables applicants to view the scanned images of their own application file folder(s) as well as general patent information available to the public.

For all other customer support, please call the USPTO Call Center (UCC) at 800-786-9199.

**DANIEL M. SULLIVAN**  
**PATENT EXAMINER**